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DE RUEHC #9953 2061928
ZNR UUUUU ZZH
O 241923Z JUL 08
FM SECSTATE WASHDC
TO RUCNDT/USMISSION USUN NEW YORK IMMEDIATE 0000
INFO UN SECURITY COUNCIL COLLECTIVE IMMEDIATE
RUEHBW/AMEMBASSY BELGRADE IMMEDIATE 0000
RUEHPS/AMEMBASSY PRISTINA IMMEDIATE 0000
RUEHBS/USEU BRUSSELS IMMEDIATE
RUEHNO/USMISSION USNATO IMMEDIATE 0000

UNCLAS STATE 079953

SIPDIS

E.O. 12958: N/A
TAGS: [UNSC](#) [PREL](#) [UNMIK](#) [KO](#)
SUBJECT: KOSOVO - GUIDANCE FOR JULY 25 UNSC DEBATE ON UNMIK

¶1. The Department requests that USUN draw on the following points during the UN Security Council discussion on the UN Mission in Kosovo (UNMIK), scheduled to take place on Friday, July 25.

¶2. Begin Points:

Mr. President:

We welcome the Secretary General's quarterly report on UNMIK. UNMIK has accomplished a great deal in Kosovo during this period under very difficult circumstances, and I would like to take this opportunity to thank former SRSR Reucker and his deputy Larry Rossin for their hard work and significant achievements during their tenure. I would like to formally welcome the appointment of Mr. Lamberto Zannier as the Secretary General's new Special Representative in Kosovo. Mr. Zannier is well qualified to assume this role and the United States is confident in his ability to consolidate UNMIK's considerable achievements in preserving peace and stability in Kosovo. He and his staff have the support of the United States as they work to implement the Secretary General's plans to reconfigure UNMIK.

I welcome Foreign Minister Hyseni to the Council and congratulate him on his historic appointment as Kosovo's first Foreign Minister and on the progress his government is making as it charts its new independent course.

I also welcome Foreign Minister Jeremic here today and congratulate Serbia on demonstrating its commitment to rule of law through the arrest of Radovan Karadzic. The new Serbian government is making commendable efforts to improve relations with the EU and we encourage Serbia to further illustrate these pro-democracy gestures by engaging constructively with the EU on Kosovo.

Today, I would like to make three points.

First, this is a time of great promise for all the people of Kosovo. The July 11 donors conference in Brussels exceeded expectations with pledges totaling 1.9 billion dollars. The Conference underscored the commitment of key members of the international community to help foster economic growth, support regional stability, and encourage prosperity for all the people of Kosovo. I am pleased to note that, since Kosovo's declaration of independence on February 17, a constitution and 41 laws have been passed with strong commitments to protection of minority community rights as well as religious and cultural heritage in line with the recommendations of former UN Special Envoy Ahtisaari. Furthermore, three minorities including two ethnic Serbs continue to serve as ministers in Kosovo's government; ethnic Serbs are active in several of Kosovo's local and central government institutions; 43 countries have recognized Kosovo's independence; and Kosovo has applied for membership

in the International Monetary Fund and World Bank. The government of Kosovo and the vast majority of Kosovo's citizens -- from all ethnic groups -- have shown goodwill and restraint, despite continued provocations by hardline opponents of Kosovo's independence. The progress and stability in Kosovo has been laudable and should be commended by all members of the Council.

Second, despite this progress, we share the Secretary General's concern regarding the continuing lack of control on the Serbia-Kosovo border. Smuggling remains rampant, and the threat of violence from hardliners remains worrisome. We call on Serbia to end its manipulation of ethnic-Serb police officers in Kosovo and to support all authorities in their efforts to restore legitimate customs and other normal border functions.

The threat of violence against those who would seek to re-impose order on the border is part of a larger pattern of ongoing provocations that must cease. I draw your attention to a few examples.

-- Tragically, a UN policeman was killed when the UN and KFOR responded to March 17 violence by Serb assailants and Serbian Ministry of Interior personnel.

-- Despite UNMIK's declaration that May 11 Serbian local elections contradicted UNSC 1244 and their results in Kosovo were invalid, Serbian authorities have supported individuals that have no legal standing, creating conflict with the legitimate local authorities appointed by UNMIK and recently recognized by the Government of Kosovo.

-- And, as we have noted on several occasions, we deplore ongoing efforts by hardliners using financial levers and physical intimidation to coerce ethnic Kosovo Serbs not to participate in Kosovo institutions.

We call on the new government in Belgrade to halt the destabilizing policies of the past and to support legitimate efforts at building reconciliation and stability.

We also share the Secretary General's concern about the property dispute at the Decan Monastery. This issue highlights an important principle as the Government of Kosovo and the international community work to ensure that minority cultural and religious rights are respected within independent Kosovo, as stipulated in the Ahtisaari plan. We continue to insist that the Government of Kosovo and municipal authorities must respect UNMIK Executive Directives issued prior to June 15. The SRSG's letter to Bishop Teodosijie and the Mayor of Decani is a step in the right direction. Looking ahead, the International Civilian Representative will exercise oversight to ensure that the Government of Kosovo meets its obligations to protect the rights of minority communities and their cultural and religious heritage.

Third, as this Council has remained deadlocked and unable to provide guidance to the Secretary General regarding UNMIK's future, we welcome and fully support the Secretary General's announced decision to reconfigure UNMIK in light of new realities on the ground in Kosovo, particularly as Kosovo's new constitution has come into force. This decision by the Secretary General is completely in line with his existing authorities under resolution 1244. We look forward to quick progress on UNMIK's reconfiguration and its carrying out of the residual functions as the Secretary General has previously outlined. As we have consistently held since a broad international coalition moved to implement the plan of former Special Envoy Ahtisaari, UNMIK must adapt to the new reality of Kosovo's independence and the establishment of the International Civilian Office and the EU's Rule of Law Mission, EULEX.

Specifically, we welcome and fully support the decision by the Secretary-General to authorize transfer of responsibilities regarding rule-of-law from UNMIK to EULEX.

EULEX will play a critical role in supporting the development and enforcement of rule of law throughout Kosovo. It is for that reason that the United States will contribute police and judicial personnel to the EU-led mission. We look forward to EULEX's early deployment throughout Kosovo and encourage the UN and the EU to conclude technical negotiations that would allow for full EULEX deployment as soon as possible. All parties must recognize that the deployment of EULEX throughout Kosovo will help ensure stability for all ethnicities in Kosovo.

This Council can still contribute to the preservation of UNMIK's tremendous legacy of having preserved peace and stability in Kosovo since its establishment in 1999. We call on all Council members to support the Secretary General as he exercises his authority under resolution 1244 to guide UNMIK as it makes a key transition in Kosovo. We also ask that Council Members support the members of the International Steering Group and the EU as they work to take on the responsibility of international supervision of Kosovo, and by extension the preservation of UNMIK's positive legacy.

End Points.
RICE